7260159/2023/VIG-VI-PRR01

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – RWS&S – Vigilance Report No.24, dt.10-08-2022 - Allegations of irregularities in the supply of deep well hand pumps & spare parts and Rate Contract Agreement with the Superintending Engineer, RWS&S, Nellore – Disciplinary proceedings against Sri M.Srinivasa Kumar, the then Superintending Engineer, RWS&S Circle, Nellore under Rule 20 of Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991 – Article of charges – Issued.

PANCHAYAT RAJ & RURAL DEVELOPMENT (VIG.VI) DEPARTMENT

G.O.Rt.No.187 Dated: 19/04/2023 .

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ORDER:

It is proposed to hold an enquiry against Sri M.Srinivasa Kumar, the then Superintending Engineer, RWS&S Circle, Nellore in accordance with the procedure laid down in Rule 20 of the Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991.

2. The substance of the imputations of misconduct or misbehavior in respect of which the enquiry is proposed to be held is set out in the enclosed statement of article of charge (Annexure-I). A list of documents by which and a list of witnesses by whom, the article of charges are proposed to be sustained are also enclosed as Annexure-II and Annexure- III.

3. Sri M.Srinivasa Kumar, the then Superintending Engineer, RWS&S Circle,Nellore is directed to submit written statement of his defence within (10) days of the receipt of this order.

4. Sri M.Srinivasa Kumar, the then Superintending Engineer, RWS&S Circle, Nellore is informed that an inquiry will be held only in respect of article of those charges as are not admitted. He should, therefore, specifically admit or deny article of charge.

5. Sri M.Srinivasa Kumar, the then Superintending Engineer, RWS&S Circle, Nellore, is further informed that if he does not submit his written statement of defence on or before the period specified in Para 3 above or otherwise fails or refuses to comply with the provisions of Rule 20 of Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991 or the orders / directions issued in pursuance of the said rules, the Inquiring Authority may hold the inquiry against him ex-parte.

6. Sri M.Srinivasa Kumar, the then Superintending Engineer, RWS&S Circle, Nellore, is invited to Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964, under which no Government Servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt within these proceedings, it will be presumed that Sri M.Srinivasa Kumar, the then Superintending Engineer, RWS&S Circle, Nellore is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule-24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

7. The receipt of this order shall be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

B.RAJSEKHAR, IAS,
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
Sri M.Srinivasa Kumar, the then Superintending Engineer, RWS&S Circle, Nellore
through the Engineer-in-Chief, RWS&S, Vijayawada.
The Engineer-in-Chief, RWS &S, Vijayawada (in duplicate with a request to serve and return the dated acknowledgement copy)

Copy to:
The G.A.(V&E) Dept (w.r.t. vigilance report No.24,(CNo.2565/V&E/E/2020)
The A.P. Vigilance Commission, Velagapudi.
The PR&RD (Estt.II) Department.
Sf/Sc.

//FORWARDED BY ORDER//

B. Bharati
SECTION OFFICER

ANNEXURE – I

STATEMENT SHOWING THE ARTICLE OF CHARGES FRAMED AGAINST SRI M.SRINIVASA KUMAR, THE THEN SUPERINTENDING ENGINEER (FAC), RWS&S CIRCLE, NELLORE OF NELLORE DISTRICT (PRESENTLY WORKING AS EXECUTIVE ENGINEER, RWS&S DIVISION, NELLORE OF NELLORE DISTRICT). CHARGE :-

That Sri M.Srinivasa Kumar, the then Superintending Engineer, RWS&S Circle, Nellore and presently working as Executive Engineer, RWS&S Division, Nellore of Nellore District has accepted M/s SSR Techno Services as third party agency for issuance of quality control certificates for the materials ie deep well hand pumps and spare parts and concluded Rate Contract agreement which didn't have NABCB or BIS accreditation to issue pre-delivery QC Certificates for made payment to the agency.

Hence the charge.

B.RAJSEKHAR, IAS,
SPECIAL CHIEF SECRETARY TO GOVERNMENT

//FORWARDED BY ORDER//

SECTION OFFICER

ANNEXURE – II

STATEMENT OF THE IMPUTATION OF MISCONDUCT OR MISBHAVIOUR IN SUPPORT OF EACH ARTCLE OF CHARGE FRAMED AGAINST SRI M.SRINIVASA KUMAR, THE THEN SUPERINTENDING ENGINEER (FAC), RWS&S CIRCLE, NELLORE OF NELLORE DISTRICT (PRESENTLY WORKING AS EXECUTIVE ENGINEER, RWS&S DIVISION, NELLORE OF NELLORE DISTRICT)

BASIS :-

The Director General, (Vig & Enft), General Administration (Vigilance & Enforcement) Department, Vigilance Report No. 24 (C.No.2565/V&E/E/2020), dt.10.08.2022 has submitted a detailed report on the Confdential Probe on the Complaint petition fled by Hand Pumps Manufacturers Association on allegations of irregularities in the supply of deep well hand pumps & spare parts and Rate Contract Agreement with the Superintending Engineer, RWS&S Circle, Nellore. In his enquiry report the Director General (V&E) has reported to the Government that, Based on the agreement clause 1.0 in the General Conditions, the Superintending Engineer, RWS&S Circle, Kurnool concluded a parallel rate contract with M/s Sai Ganesh Engineering industries on 19.02.2020. While concluding the aforesaid agreement, the Superintending Engineer, RWS&S Circle, Nellore accepted M/s SSR Techno Services as one of the quality control agencies for issuance of quality control certifcates for the materials supplied from the agency. After concluding the Agreement, M/s Sai Ganesh Engineering Industries has supplied material to RWS&S Divisions at Gudur and Nellore costing Rs.28,01,777/-. M/s SSR Techno Services issued QC Certificates and bills were recommended for payment. As per Clause is As per the ofce Memorandum dt.20.03.2018 issued by Bureau of Indian Standard vide Para.3, it is clearly stated that "Whenever the use of mark under license or certificate of conformity is to made compulsory to demonstrate that particular goods, article, system or service conform to the requirement of Indian Standard, the concerned administrative ministry may choose whether implementation would be through grant of license by the Bureau or grant of certificate of conformity either by the Bureau or NABCB. Sri M.Srinivasa Kumar, the then Superintending Engineer (FAC), RWS&S Circle, Nellore and presently working as Executive Engineer, RWS&S Division, Ananthapuram was 1) accepted M/s SSR Techno Services as third party agency for issuance of quality control certifcates for the materials ie deep well hand pumps and spare parts and concluded Rate

Contract agreement which didn't have NABCB or BIS accreditation to issue pre-delivery QC Certificates. From this it is evident that Sri M.Srinivasa Kumar has violated Rules 3(1), 3(2), of AP Civil Services Conduct Rules, 1964 for lack of devotion to duty, lack of integrity, lack of impartially and for behaving in a manner unbecoming of a Government employee.

Hence the charge.

B.RAJSEKHAR, IAS,
SPECIAL CHIEF SECRETARY TO GOVERNMENT

//FORWARDED BY ORDER//

SECTION OFFICER

ANNEXURE - III

LIST OF THE DOCUMENTS BY WHICH THE ARTICLE CHARGES FRAMED AGAINST SRI M.SRINIVASA KUMAR, THE THEN SUPERINTENDING ENGINEER (FAC), RWS&S CIRCLE, NELLORE OF NELLORE DISTRICT (PRESENTLY WORKING AS EXECUTIVE ENGINEER, RWS&S DIVISION, NELLORE OF NELLORE DISTRICT)

The Director General, (Vig & Enft), General Administration (Vigilance & Enforcement) Department, Vigilance Report No. 24 (C.No.2565/V&E/E/ 2020), dt.10.08.2022.

B.RAJSEKHAR, IAS,
SPECIAL CHIEF SECRETARY TO GOVERNMENT

//FORWARDED BY ORDER//

SECTION OFFICER

ANNEXURE - IV

LIST OF WITNESSES BY WHICH THE ARTICLE OF CHARGES ARE FRAMED AGAINST SRI M.SRINIVASA KUMAR, THE THEN SUPERINTENDING ENGINEER (FAC), RWS&S CIRCLE, NELLORE OF NELLORE DISTRICT (PRESENTLY WORKING AS EXECUTIVE ENGINEER, RWS&S DIVISION, NELLORE OF NELLORE DISTRICT)

- NIL –

B.RAJSEKHAR, IAS,
SPECIAL CHIEF SECRETARY TO GOVERNMENT

//FORWARDED BY ORDER//

SECTION OFFICER